

NOV 21 2006

REMARKS/ARGUMENTS

The applicants thank the Examiner for her most recent Office Action dated September 25, 2006. This case is amended and includes explanatory remarks.

All pending claims (Claims 2-7, 9-13, & 16-19) stand rejected in the outstanding Office Action over the U.S. Patent Publication of *Tan et al.* (U.S. Pat. Pub. No. hereinafter "*Tan*") and in some cases additionally of the combination of *Tan* and *Hasebe et al.* (USPN 6,713,849 hereinafter "*Hasebe*").

Claims 1, 8, 14, and 15 were previously cancelled and are not at issue here.

Independent Claims 2, 9, and 16 have been amended herein to clarify certain patentable subject matter. Additionally, Claims 3 & 10 are also amended to clarify certain patentable subject matter and amended to be consonant with the amendment of the base claims 2 & 9. Claims 20-22 are now added. Accordingly, Claims 2-7, 9-13 and 16-22 are now pending in this application. Entry of these amendments is respectfully requested. Reconsideration of the Application based on the Amendments and Remarks contained herein.

Claim Rejections Under 35 U.S.C. § 102

All pending Claims 2, 3, 5, 7, 9, 10, 12, and 16-19 are now pending stand rejected under 35 U.S.C. § 102(e) as being anticipated by *Tan*.

In response, the applicants have amended Claims 2, 9, & 16 to clarify some distinctive features of the Claims.

The Applicants address the pending rejections as follows.

Base Claims 2, 10, and 16 are amended to clarify the structure of the device areas. Critically, the claimed invention uses coplanar DAP and contact surfaces. Typical of this limitation is Claim 1 which is amended to recite that "the die support surface is formed on the top surface and is coplanar with top surfaces of the plurality of contacts".

This is distinct from *Tan* which is not only is not planar, but requires the substrate to be in "offset" (non-coplanar) configuration. *Tan* explains that the offset configuration is required (e.g., *Tan* at ¶ [0033] and elsewhere). Additionally, the offset configuration is explained as

necessary to attain the very thin package profile the invention was invented to achieve (e.g., *Tan* at ¶ [0033] ll. 25-35 and elsewhere). The *Tan* invention needs this offset in order to fit the wires into the desired space provided by the offset. In the presence of planar surfaces this inventive advantage disappears.

Thus, the cited *Tan* reference does not teach a planar arrangement of pad and contact. In fact it teaches the opposite.

Accordingly, the applicants respectfully submit that the amendments made to the independent claims are sufficient to overcome the *Tan* reference. Therefore, *Tan* does not establish a *prima facie* case for anticipation as to the amended base claims. Therefore, the applicants respectfully submit that the Claims 2, 9, and 16 as now amended are not anticipated by the cited art. Thus, applicants request that this ground of rejection be withdrawn as to Claims 2, 9, and 16 and the claims depending therefrom (Claims 3, 5, 7, 10, 12, and 17-19).

Rejections Under 35 U.S.C. § 103

Claims 2-7, 9-13, and 16-19 stand rejected under 35 U. S. C. §§ 103(a) as being unpatentable over *Hasebe* in view of *Tan* under 35 U.S.C. § 103.

The Examiner has already admitted that the cited *Hasebe* reference does not teach the claimed invention and further requires the incorporation *Tan* to establish this rejection. In order to establish a *prima facie* case of obviousness three basic criteria must be met. Referring to the guidance of the MPEP § 2143 the three criteria are "First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure." *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Applying this standard to the present claims, the applicants assert that the cited combination of references include no suggestion or motivation to modify the reference nor is there any reasonable expectation of success for the cited combination.

Referring the MPEP 2143.01 the applicants point out that the combination cannot render the prior art unsatisfactory for its intended purpose. In the instant case, a combination of coplanar pad and contacts renders *Tan* non-functional. *Tan* needs the offset in order to operate properly (See, *Tan* at e.g., ¶¶ [0033], [0035] and elsewhere). Without the offset, *Tan* malfunctions. Thus, in accord with case law and the MPEP the proposed modification renders the prior art unsuitable for its intended purpose and also changes its principle of operation. Additionally, *Tan* specifically teaches away from the cited combination by teaching that an offset is required to establish a sandwich point for the wires (See, *Tan* at e.g., ¶ [0035] and elsewhere). Moreover, the Action has provided no reason for its rationale to combine the cited art. Therefore the applicants respectfully submit that the amended claims have overcome the cited art or any reasonable combination thereof.

Accordingly, as to the independent claims, the applicants respectfully submit that the amendments are sufficient to overcome the cited combination of references and go beyond the pending obviousness rejections.

Therefore, the applicants respectfully submit that the Claims 2, 9, and 16 as now amended are not unpatentable over the cited combination of prior art references. Thus, applicants request that this ground of rejection be withdrawn as to **Claims 2, 9, and 16** and the claims depending therefrom (**Claims 3-7, 10-13, and 17-19**).

New Claims:

Claims 20, 21, & 22 have been added to specifically clarify certain patentable subject matter. In particular, the claims specify the wire bonding arrangements relative to certain embodiments of the invention. Such, embodiments have a die affixed to a top surface of the lead frame (configured as the independent claims) where wirebonds extend from the top of the die to the top surface of the lead frame contacts. Very dissimilar from art such *Tan* which is as described above not combinable with *Hasebe*. Moreover, these claims are believed allowable for at least the reasons discussed above with respect to the other claims.

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Conclusion:

In view of the foregoing amendments and remarks, it is respectfully submitted that the claimed invention as presently presented is patentable over the art of record and that this case is now in condition for allowance.

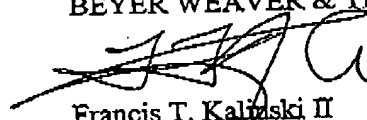
Accordingly, the applicants request withdrawal of all pending rejections and request reconsideration of the pending application and prompt passage to issuance. As an aside, the applicants clarify that any lack of response to any of the issues raised by the Examiner is not an admission by the applicant as to the accuracy of the Examiner's assertions with respect to such issues. Accordingly, applicant's specifically reserve the right to respond to such issues at a later time during the prosecution of the present application, should such a need arise.

As always, the Examiner is cordially invited to telephone the applicants representative to discuss any matters pertaining to this case. Should the Examiner wish to contact the undersigned for any reason, the telephone numbers set out below can be used.

Additionally, if any fees are due in connection with the filing of this Amendment, the Commissioner is authorized to deduct such fees from the undersigned's Deposit Account No. 50-0388 (Order No. NSC1P295).

Respectfully submitted,

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